

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Adam J. Komorowski on March 13, 2009.

Claims 1 and 3-4 have been cancelled.

In **Claim 5**, line 5, "feasible" has been deleted.

In **Claim 5**, line 9, "at least one of" has been deleted.

In **Claim 5**, line 9, "and" has been deleted and the word - - or - - has been substituted therefor.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "28" has been used to designate both the seal gas supply tube and the exhaust gas outlet tube. According to the instant Specification (S. p. 9, 0122), the exhaust gas outlet tube should be designated by "29." Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet,

even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the Applicants will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: **Claim 5** is allowable over the applied prior art (Wakamatsu et al. and Rollmann et al.) for the reasons enumerated by Applicants in the response filed December 8, 2008. Further, the instant invention is allowable over Bohannon et al. (US 5,146,869). Bohannon discloses a process for producing silicon, comprising: providing a tubular reaction vessel comprising a longitudinally-extending wall with a space therein and heating means which heats the surface of the wall to a silicon deposition temperature, wherein a silicon deposition feedstock gas inflow opening is provided at an upper portion and baffles on the wall surface of the injector tube (Bohannon, Fig. 2-6; Claims 1-11; "Abstract;" c. 3, l. 35-68; c. 4, l. 1-53); introducing a silicon deposition feedstock gas containing a chlorosilane through the silicon deposition feedstock gas inflow opening; and producing polycrystalline silicon from the chlorosilane-containing silicon deposition feedstock gas in the heated reaction vessel (Bohannon, c. 2, l. 10-15; c. 6, l. 39-44). However, Bohannon does not disclose a deposited silicon discharge opening provided at a lower end portion, nor the plurality of flow resistance-increasing regions being on

the wall surface of the tubular reaction vessel. The instant invention requires that the flow resistance-increasing regions be on the wall surface of the tubular reaction vessel. In contrast, Bohannon discloses baffles on the wall surface of the injector tube. There is no teaching, disclosure, or suggestion in Bohannon to modify the process as to have baffles on the wall surface of the tubular reaction vessel. Nor would there be any motivation from the prior art to do so.

Any comments considered necessary by Applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRITTANY M. MARTINEZ whose telephone number is (571) 270-3586. The examiner can normally be reached Monday-Friday 9:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman can be reached at (571) 272-1358. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Wayne Langel/
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